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THE SITUATION IN CENTRAL AMERICA: PROCEDURES FOR THE ESTABLISHMENT OF A FIRM AND LASTING PEACE AND PROGRESS IN FASHIONING A REGION OF PEACE, FREEDOM, DEMOCRACY AND DEVELOPMENT

Letter dated 15 December 1997 from the Secretary-General to the President of the General Assembly

I am writing to inform you of progress in the implementation of the peace accords in El Salvador during the period from 1 July to 10 December 1997, in accordance with the request by the General Assembly contained in resolution 51/199 B of 31 July 1997 that I keep it informed of further developments in the implementation of the peace process in El Salvador, as I deem appropriate.

You will recall that, in the assessment of the peace process I submitted to the General Assembly on 1 July 1997 (A/51/917), I proposed that, in view of the fact that there remained a number of accords, particularly in the socio-economic area, in which implementation had yet to be completed, two international Professionals and two local consultants should be inserted as a unit under the administrative umbrella of the United Nations Development Programme (UNDP). This unit was to follow up on the outstanding elements of the peace accords for a period of six months, and would be funded by existing monies within the Trust Fund for the Mission of the United Nations in El Salvador. This proposal was welcomed by the General Assembly in the above-mentioned resolution.

While the verification and good offices functions of the Organization have continued to be carried out from Headquarters, the unit in El Salvador has made every effort to assist the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN) with the implementation of the outstanding elements of the peace accords in the socio-economic area. This has not been an easy task. The accords in which aspects remained outstanding, in particular the land transfer programme (PTT), the programme to transfer rural

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human settlements to their current occupants, the Fund for the Protection of the Wounded and War-Disabled, and the transfer of lands in excess of the constitutional limits of 245 hectares, are inherently complex, and the elements still in need of implementation are especially difficult. Moreover, it has not always been possible to attain the cooperation necessary from the agencies responsible for the implementation of the accords to ensure that solutions are found in the most expeditious manner possible.

Still, modest advances continue to be made. Although progress in the land transfer programme has been painstaking, a solution has been found for a third of the 900 beneficiaries whose cases were outstanding on 1 July 1997. All efforts should be made to ensure that similar solutions are found for the remaining 611 beneficiaries.

Of greater concern is the rural human settlements programme, in which substantial advances have been made only in negotiations with the properties' owners. Implementation of the other stages of the programme has been unjustifiably slow. In order to achieve the maximum progress in the months ahead, agreement should be reached between the Lands Bank and the National Registry Centre to establish mechanisms to facilitate the inscription of titles and purchase of properties. A high level of implementation of the programme during 1998 would then be possible.

The possibility of extending the benefits of the Fund for the Protection of the Wounded and War-Disabled to the total universe of potential beneficiaries included in the 1993 census as family members of dead combatants remains obstructed by the shortcomings of legislative decree 1040, as I pointed out in my report of 1 July 1997 (A/51/917). It is hoped that the appropriate adjustments can be made promptly in order to afford this needy population the benefits to which they are rightfully entitled.

There has been some reluctance on the part of the Salvadorian Institute for Agrarian Transformation (ISTA) to accept the findings of the United Nations-sponsored investigation into properties alleged by campesino organizations to have lands in excess of the constitutional limit of 245 hectares, in accordance with the agreement reached by the Joint Group working on the issue in December 1996. While the United Nations will honour the commitment it made to investigate the 42 remaining properties of those assigned to it by this agreement, it is to be hoped that the political will required to address the delicate issue of the transfer of the properties identified as being in excess of 245 hectares will be forthcoming.

Considering that aspects of the peace accords remain pending and that further modest progress in the areas in which the unit in El Salvador has been concentrating its work is still possible, I am proposing to maintain the presence of the unit [in El Salvador] for a further six months, but in the reduced form of one international staff member and one local consultant. The verification and good offices functions of the Organization will, as in the current period, continue to be carried out from Headquarters. Increased coordination with UNDP will be imperative to the success with which such a minimal presence is able to carry out the tasks assigned to it, as well as prepare for its eventual departure. Thanks to the generosity of voluntary

contributions made by the Netherlands and Spain in recent months, the costs of the unit would be covered by existing monies within the Trust Fund for the Mission of the United Nations in El Salvador.

I would be grateful if you could bring the present letter to the attention of the members of the General Assembly.

(Signed) Kofi A. ANNAN